



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re-application of: Bernstein

Application Serial No.: 09/885,373

Filed: 06/20/2001

For: System for Real Time Voice Quality Measurement in Voice Over Packet Network

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

**POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST**  
**(REVOCATION OF PRIOR POWERS)**

As assignee of record of the entire interest of the above-identified:

☒  
☐

application,  
patent

**REVOCATION OF PRIOR POWERS OF ATTORNEY**

all powers of attorney previously given are hereby revoked and

**NEW POWER OF ATTORNEY**

I/we hereby appoint all of the following attorneys and agents of Thomas, Kayden, Horstemeyer & Risley, LLP, who are listed under the USPTO Customer Number shown below as my/our attorneys and agents to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, recognizing that the specific attorneys and agents listed under that Customer Number may be changed from time to time at the sole discretion of Thomas, Kayden, Horstemeyer & Risley, LLP, and request that all correspondence be addressed to the address filed under the same USPTO Customer Number.

**24504**

Direct correspondence and telephone calls to:

**Scott A. Horstemeyer, Esq.**  
**THOMAS, KAYDEN, HORSTEMEYER & RISLEY, L.L.P.**  
100 Galleria Parkway, Suite 1750  
Atlanta, Georgia 30339  
770-933-9500

**ASSIGNEE OF ENTIRE INTEREST**

**ZHONE TECHNOLOGIES, INC.**  
7001 Oakport Street  
Oakland, California 94621

**ASSIGNEE CERTIFICATION**

The certification under 37 C.F.R. §3.73(b) establishing the right of assignee to take action is attached hereto along with documentation evidencing same.



Kirk Misaka  
Chief Financial Officer

Date: 9-7-06

Docket No.: 052601-1030

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Bernstein

Application Serial No.: 09/885,373

Filed: 06/20/2001

For: System for Real Time Voice Quality Measurement in Voice Over Packet Network

Mail Stop

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

**CERTIFICATE UNDER 37 C.F.R. §3.73(b)  
ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION**

1. The assignee of the entire right, title and interest hereby seeks to take action in the PTO in this matter.

**IDENTIFICATION OF ASSIGNEE**

2. The assignee of this matter is:

**ZHONE TECHNOLOGIES, INC.**

7001 Oakport Street

Oakland, California 94621

**PERSON AUTHORIZED TO SIGN**

3. Scott A. Horstemeyer  
Attorney for Assignee

4. A chain of title from the inventor(s) to the current assignee is shown below:
- a. From: Alberto Bernstein, Mendy Segal, Wen Wang, and Israel Yuval  
To: Vpacket Communications, Inc.  
Recorded in PTO: REEL: 011926 FRAME: 0342
  - b. From: Vpacket communications  
To: Zhone Technologies, Inc.  
Recorded in PTO: REEL: 018205 FRAME: 0774

**DECLARATIONS**

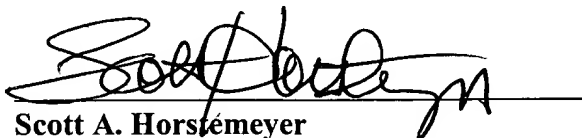
5. I, the undersigned, have reviewed all the documents in the chain of title of the

☒ application  
☐ patent

matter identified above and, to the best of my knowledge and belief, title is in the assignee identified above.

6. I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

7. I, the person signing below, aver that I am empowered to sign this statement on behalf of the assignee.

  
Scott A. Horstemeyer

Tel. No. 770-933-9500  
Customer No.: 24504

**THOMAS, KAYDEN, HORSTEMEYER  
& RISLEY, L.L.P.**  
100 Galleria Parkway, Suite 1750  
Atlanta, Georgia 30339-5948

Docket No. 052601-1030